

18499. Adulteration of chili peppers. U. S. v. 116 Bags * * *. (F. D. C. No. 32234. Sample No. 37231-L.)

LIBEL FILED: December 13, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about July 17, 1951, from Turkey.

PRODUCT: 116 150-pound bags of chili peppers at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect and rodent excreta. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 2, 1952. The Sagen Co., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law by fumigating, cutting, and sifting, so as to eliminate and destroy the objectionable portion. 16,344 pounds of the product were salvaged, and the remainder was denatured.

18500. Adulteration and misbranding of french dressing. U. S. v. 4 Cases * * *. (F. D. C. No. 32236. Sample No. 22994-L.)

LIBEL FILED: On or about December 18, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about November 5, 1951, by Merit Food Co., Inc., from Hackensack, N. J.

PRODUCT: 4 cases, each containing 24 1-pint bottles, of french dressing at New York, N. Y.

LABEL, IN PART: (Bottle) "Merit French Dressing A Salad De-Lite 1 Pt."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vegetable oil, had been in part omitted; and Section 402 (b) (4), artificial coloring had been added to the product and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for french dressing. (Examination disclosed that the product contained less than 35% by weight of vegetable oil and contained artificial coloring in violation of the standard.)

DISPOSITION: January 14, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

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FEDERAL SECURITY AGENCY**FOOD AND DRUG ADMINISTRATION****NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

18501-18550

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency, and include, where indicated, the results of investigations by the Agency, prior to the institution of the proceedings. Published by direction of the Federal Security Administrator.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*WASHINGTON, D. C., *October 20, 1952.***CONTENTS**

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